



S. 1768

Acts and Laws,

Passed by the Great and General Court or Assembly of his Majesty's Province of the *Massachusetts-Bay* in *New-England*: Begun and held at *Boston*, in the County of *Suffolk* upon Wednesday the Twenty-fifth Day of *May* 1768.

CHAP. I.

An Act for granting the Sum of *Thirteen Hundred Pounds*, for the Support of his Majesty's Governor.

BE it enacted by the Governor, Council, and House of Representatives, That the Sum of *Thirteen Hundred Pounds*, be and hereby is granted unto his most Excellent Majesty, to be paid out of the public Treasury, to his Excellency *FRANCIS BERNARD*, Esquire, Captain-General and Governor in Chief in and over his Majesty's Province of the *Massachusetts-Bay*, to enable him to carry on the Affairs of this Government.

Grant of £. 1300 for the Support of his Majesty's Governor.

CHAP.

C H A P. II.

An Act for supplying the Treasury with the Sum of Eighteen Thousand Pounds.

Preamble.

WHEREAS no Provision is made to defray the Charges of the Government for the present Year: And whereas the Treasurer has represented to this Court, that when the Taxes for the Year One Thousand seven Hundred and sixty seven are paid into the Treasury, there will be a Surplusage in the Treasury of at least Eighteen Thousand Pounds.

Treasury supplied with £. 18000.

How appropriated.

Be it enacted by the Governor, Council, and House of Representatives, That the Treasurer be, and he is hereby directed to apply the aforesaid Sum of *Eighteen Thousand Pounds*, to defray the Charges of Government for the ensuing Year, to be issued in the Manner following; that is to say, the Sum of Seven Thousand Pounds, Part of the aforesaid Sum of *Eighteen Thousand Pounds*, shall be applied for the Payment of Grants made or to be made by this Court; and the further Sum of *Three Thousand five Hundred Pounds*, part of the aforesaid Sum of *Eighteen Thousand Pounds*, shall be applied for the Payment of his Majesty's Council, and the Members of the House of Representatives serving in the Great and General Court during the several Sessions of the present Year: And the further Sum of *Five Hundred Pounds*, part of the aforesaid Sum of *Eighteen Thousand Pounds*, shall be applied for the purchasing Provisions and the Commissary's Disbursements, for the Service of the several Forts and Garrisons within this Province: And the further Sum of *Two Thousand Pounds*, part of the aforesaid Sum of *Eighteen Thousand Pounds*, shall be applied for the Discharge of Debts owing from this Province to Persons who have served, and shall serve them by Order of this Court, in such Matters and Things where there is no Establishment, nor any certain Sum assigned them for that Purpose; and for Paper, Writing and Printing for this Court, and Repairs of the Province-House, Court-House, Light-House, Wood at Castle-William, and Repairs of Fortifications within this Province: And the further Sum of *Four Thousand Pounds*, part of the aforesaid Sum of *Eighteen Thousand Pounds*, shall be applied for the Payment of Expences of the several Forts and Garrisons within this Province: And the further Sum of *Nine Hundred Pounds*, part of the aforesaid Sum of *Eighteen Thousand Pounds*, shall be applied for the Payment of the Bounty upon Wheat and Flour: And the further Sum of *One Hundred Pounds*, part of the aforesaid Sum of *Eighteen Thousand Pounds*, shall be applied to pay such Contingent and unforeseen Charges as may arise, and for no other purpose whatever.

Treasurer to pay the Money out of the Appropriations directed by Warrant.

And be it further enacted, That the Treasurer pay the aforesaid Sum of *Eighteen Thousand Pounds*, out of such Appropriations as shall be directed by Warrant, and no other: And the Secretary to whom it belongs to keep the Muster Rolls and Account of Charge, shall lay before the House of Representatives, when they direct such Muster Rolls and Accounts of Charge after Payment thereof.

CHAP.

C H A P. III.

An Act for supplying the Treasury with one Hundred Thousand Pounds, to be applied for the Redemption of Government Securities that will become due in the Year of our Lord One Thousand seven Hundred and sixty-nine.

WHEREAS in and by an Act made and passed in the Seventh Year of His Majesty's Reign, intituled "An Act for supplying the Treasury with the Sum of One Hundred and twenty-five Thousand, eight Hundred and fifty Pounds, to be applied for the Redemption of Government Securities, that will become due in the Year of Our Lord One Thousand seven Hundred and sixty-eight, among other Things it is enacted, That a Tax of One Hundred and thirty-two Thousand, one Hundred and forty-two Pounds ten Shillings, be levied on Polls and Estates, both Real and Personal within this Province, to enable the Treasurer to discharge the Receipts and Obligations that will become due in June, One Thousand seven Hundred and sixty-nine : And in Case the General Court shall omit levying and proportioning such Tax at their Session in June, Seventeen Hundred and sixty-eight, the Treasurer of the Province by the Act aforesaid is directed to issue and send forth his Warrants directed to the Assessors or Selectmen of each Town and District within the Province, requiring them to assess the Polls and Estates, both Real and Personal within their several Towns and Districts for their respective Parts and Proportions of the Sums before directed and engaged to be assessed : And whereas it is uncertain, whether the new Valuation can be compleated, so that a Tax can be levied and apportioned this Session : And this Court looking upon it as a Matter of the last Importance to Support the Faith and Credit of the Government ; and as the Possessors of the Government Securities that will become due in June, Seventeen Hundred and sixty-nine, are willing to continue their Money upon Loan payable at a further Period.

Therefore,

Be it enacted by the Governor, Council, and House of Representatives, That the Treasurer be and he hereby is directed not to issue forth his Warrants as aforesaid : And that he be, and he hereby is directed and impowered to borrow of such Person or Persons as shall appear ready to lend the same from Time to Time, as he shall have occasion for the Money, a Sum not exceeding One Hundred Thousand Pounds, in mill'd Dollars at six Shillings each, or in the several Species of coined Silver and Gold, enumerated in an Act made and passed in the twenty-third Year of his late Majesty King George the second intituled, *An Act for ascertaining the Rates at which coined Silver and Gold, English half-pence, and Farthings may pass within the Government* : And the Sum so borrowed shall be applied as in this Act is hereafter directed ; and for the said Sum the Treasurer shall give his Receipt or Obligation in the Form following.

Treasury sup-
plied with
£. 100,000.

Province

Form of the
Treasurer's
Notes.

Province of the Massachusetts Bay,

The Day of A. D.

Borrowed and Received of the Sum of for the
Use and Service of the Province of the Massachusetts Bay, and in
behalf of said Province, I do promise and oblige myself and Succes-
sors in the Office of Treasurer, to repay the said
or to his Order, the twentieth Day of June One Thousand seven
Hundred and Seventy the aforesaid Sum of in
Spanish mill'd Dollars, at six Shillings each, or in the several Spe-
cies of coined Gold and Silver, enumerated in an Act made and
passed in the Twenty-third Year of his late Majesty King GEORGE
the Second intituled, An Act for ascertaining the Rates at which
coined Silver and Gold, English half-Pence and Farthings may pass
within the Government; and according to the Rates therein men-
tioned with the Interest annually at five per Cent.

Witness my Hand,

A. B. }
C. D. }
E. F. }

Committee,

H. G. Treasurer.

Proviso.

Provided nevertheless, That if this Court shall levy a Tax this Year
to be paid into the Treasury for any Part of said Sum of One Hundred
Thousand Pounds, the Treasurer is hereby directed to borrow so much
short of what he is otherwise directed to borrow by Virtue of this Act.

Treasurer to
observe the
directions of
the Act of the
2d of his pre-
sent Majesty.

And be it further enacted, That the Treasurer in issuing said Receipts
and Obligations, and the Committee chosen to countersign them, shall
observe and be governed by the Rules and Directions given them by an
Act of this Province made in the second Year of his present Majesty's
Reign, intituled, *An Act to Supply the Treasury with the Sum of*
Twenty-five Thousand Pounds.

Money bor-
rowed to be
applied for the
Redemption
of Govern-
ment Securi-
ties.

And be it further enacted, That the said Sum of One Hundred
Thousand Pounds, ordered to be borrowed by this Act, when received
into the Treasury, shall be applied by the Treasurer for the Redemption
of Government Securities that will become due in June One Thousand,
seven Hundred and sixty-nine. And in order to draw said Money into
the Treasury again, and enable the Treasurer effectually to discharge the
Receipts and Obligations (with the Interest that may be due thereon) by
him given in Pursuance of this Act. 21 JY 60

Tax granted
for the Sum
borrowed, to
be paid into
the Treasury
31st March,
1770.

We His Majesty's most dutiful and loyal Subjects the Representatives
of the Province of the Massachusetts-Bay, in Great and General Court
assembled, have cheerfully given and granted unto his most Excellent
Majesty, a Tax of One Hundred and five Thousand Pounds, to be levied
on Polls and Estates, both Real and Personal within the Province, ac-
cording to such Rules, and in such Proportions, on the several Towns
and Districts within this Province, as shall be agreed on, and ordered by
the Great and General Court or Assembly, at their Session in May, One
Thousand seven Hundred and Sixty-nine, and to be paid into the pub-
lic Treasury on or before the thirty-first Day of March, One Thou-
sand seven Hundred and Seventy; and pray that it may be enacted; and
be

Windham Assessors impowered.

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be it accordingly enacted by the Governor, Council, and House of Representatives, That there be, and hereby is granted unto his most excellent Majesty, the Sum of *One Hundred and five Thousand Pounds*, to be accordingly levied on Polls and Estates, both Real and Personal within the Province, according to such Rules and in such Proportions, on the several Towns and Districts within the Province, as shall be agreed on and ordered by the General Court or Assembly, at their Session in *May*, One Thousand seven Hundred and sixty-nine.

£. 105,000,
granted to be
levied, as shall
be agreed on
in *May*, 1769.

And be it further enacted, That if the General Court at their Session in *May*, One Thousand seven Hundred and sixty-nine, and some Time before the twentieth Day of *June* in said Year, shall not agree and conclude upon an Act apportioning the Sums which by this Act are engaged to be paid in said Year, apportioned, assessed and levied; then and in such Case, each Town and District within this Province shall pay by Tax, to be levied on the Polls and Estates both Real and Personal, within their Limits, the same Proportion of the said Sum as the said Towns and Districts were taxed by the General Court in the Tax Act then last preceeding: And the Province Treasurer is hereby impowered and directed some Time in the Month of *June*, in the same Year, One Thousand seven Hundred and sixty-nine, to issue and send forth his Warrants directed to the Assessors or Select Men of each Town and District, within this Province, requiring them to assess the Polls and Estates both Real and Personal, within their several Towns and Districts, for their respective Parts and Proportions of the Sums before directed and engaged to be assessed, to be paid into the Treasury, at or before the aforementioned Time. And the Assessors, as also Persons assessed, shall observe, be governed by, and subject to all such Rules and Directions, as shall have been given in the then last preceeding Tax Act.

If the Gen.
Court shall
not then agree
on a Tax, the
Treasurer is
to issue his
Warrants a-
greeable to
the last pre-
ceeding Tax
Act.

And be it further enacted, That the Treasurer be, and he hereby is directed to apply *Thirty-two Thousand, one Hundred and forty-two Pounds, ten Shillings*, of the Surplusage that will be in the Treasury, in *June* next, for the Redemption of the Notes that will then become due, which with the Sum he is ordered to borrow by Virtue of this Act, will be sufficient to redeem them.

£. 32,140,
Surplusage in
the Treasury
appropriated
to discharge
Government
Securities.

C H A P. IV.

An Act impowering the Assessors of the Town of *Windham*, in the County of *Cumberland*, to assess Yearly, for three Years next ensuing, *one Penny* per Acre, on every of the hundred Acre Lots in said Town already Lotted out, and not otherwise Taxed, (Ministerial and School Lands lying in said Town excepted.)

BE it enacted by the Governor, Council, and House of Representatives, That the Assessors of the Town of *Windham*, in the County of *Cumberland*, be and hereby are authorized and impowered

Assessors of
the Town of
Windham to
assess annually
one Penny per
Acre on the
100 Acre Lots
in said Town.

Collectors to
be chosen to
receive and
pay the Mo-
ney to the
Town Treas-
urer,

To be appli-
ed to the
making pass-
able Ways.

Penalty on
Collectors re-
fusing to serve.

Other Col-
lectors to be
chosen.

Assessors to
post and make
Sale of Lands
of delinquent
Proprietors.

Overplus
Money to be
return'd.

ed annually to assess for three Years next ensuing, one Penny per Acre, on every of the hundred Acre Lotts already lotted out in said Town, not otherwise taxed (Ministerial and School Lands lying and being in said Town excepted) and that the said Town of *Windham*, be impowered at each and every of their Anniversary *March* Meetings for the said three Years next ensuing to chuse one Collector, an inhabitant of the Town of *Windham*, to serve for and during the Year for which he shall be chosen, and to take the Oath commonly taken by Collectors of Towns; who shall well and truly collect the Sum and Sums assessed by the aforesaid Assessors in Pursuance of this Act, on the hundred Acre Lots in said Town as aforesaid, and that one Half of the Money that shall be raised by said Tax, be paid by the Collector for the Time being, into the Hands of the Treasurer of said Town of *Windham*, for the Time being, to be by such Treasurer of said Town of *Windham* annually, applied to the Ministers and other Town Charges, the other half to be paid into the Hands of the Proprietors Treasurer for the time being, to be by said Proprietors or their Order annually applied to the opening and making passable, such Ways already planned or laid out as still remain in Wilderness State in said Town of *Windham*.

And be it further enacted by the Authority aforesaid, That if any Collector or Collectors, duly chosen at either of the annual *March* Meetings in said Town of *Windham*, during the Term aforesaid, shall neglect or refuse to serve in said Office, the Collector so neglecting or refusing, shall forfeit and pay the Sum of *five Pounds*, to the Use of said Town, to be recovered in Manner as the Law directs for prosecuting Persons refusing to serve in the Office of a Constable, and the said Town may, and are hereby impowered to chuse another Collector in his or their Stead, and if any or either of the Proprietors and Owners of the said hundred Acre Lots, or either of them, not otherwise taxed, lying and being in the Town of *Windham*, shall neglect or delay to pay to the Collector or Collectors for the Time being, the Sum from Time to Time levied or assessed upon their hundred Acre Lots as aforesaid, for forty Days after such Assessment is made and published, by posting up Notifications thereof in said Town of *Windham*, in the Shire Town of the County of *Cumberland*, and in *Marblehead*, that then, and in such Case, it shall and may be Lawful for such Assessors, to post up in said Town of *Windham*, the Shire Town of the County of *Cumberland*, and in *Marblehead*, Notifications of the intended Sales of so much and no more of such delinquent Proprietors Lands as they shall judge necessary to pay such Rates and Taxes, and other necessary and intervening Charges two Months before the same be Sold; and if any of the said Proprietors of the said hundred Acre Lots, do not by that Time, pay such Rates or Assessments and Charges, then and in that Case, it shall and may be lawful for the Assessors at a public Vendue, to sell so much of the delinquent Proprietors Lands as shall be sufficient to pay the Tax and Charges arising upon the Sale of said Land, and execute absolute Deed or Deeds in Law for the conveying of such Lands to the Person or Persons who shall give most for the same, which Deed shall be good and valid to all Intents and Purposes in Law for conveying such Estates to the Grantees, their Heirs and Assignes forever, and if the said Land be sold for more than the Taxes and intervening Charges, the overplus to be paid to such delinquent Proprietors, or their Order, the Money for which the delinquent Proprietors Lands shall be sold to be lodged in the
Hands

Removal of Prisoners.

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Hands of the Treasurer of the Town of *Windham*, and the Proprietors Treasurer in equal Division, reserving to the non-Resident Proprietors whose Lands shall be sold as aforesaid, a Right of Redemption for themselves, their respective Heirs and Assignes, within twelve Months from the Time of the Sale of such delinquent Proprietors Lands, they paying the Sum or Sums for which the Lands were Sold, with double Interest until the same be redeemed.

Right of Redemption reserved.

And be it further enacted, That the Inhabitants of *Windham* be, and hereby are authorized and impowered, to call a Town Meeting some Time in the Month of *July* next ensuing, to chuse one Collector, an Inhabitant of *Windham* aforesaid, and that for the Purposes aforesaid, to serve in said Office this present Year.

A Town-Meeting to be called in *July*.

C H A P. V.

An Act for the Removal of the Prisoners from his Majesty's Goal in the County of *Barnstable*, to his Majesty's Goal in the County of *Plymouth*.

WHEREAS it has been represented to this Court by the Justices Preamble. of the Court of General Sessions of the Peace in the County of *Barnstable*, that the Goal in that County is insufficient and that the said Justices have ordered a new one to be built, which is ready to be erected in the Place where the old Goal stands: And they desire the Aid of this Court for the Removal of the Prisoners that are, or may be committed to Goal in the said County of *Barnstable*, while a new Goal is Building there.

Be it therefore enacted by the Governor, Council, and House of Representatives, That the Sheriff of the County of *Barnstable* be directed to remove the Prisoners in the Goal in the County of *Barnstable*, to his Majesty's Goal in the County of *Plymouth*, while the new Goal is Building in the said County of *Barnstable*; and the Sheriff of the County of *Plymouth* is hereby impowered and directed to receive such Prisoners into his Custody, and the same safely to keep until the Goal in the County of *Barnstable* is fitted to receive them again, or they be otherwise discharged by due Order of Law; and also to receive any Prisoners into *Plymouth* Goal that may be committed by lawful Authority from the County of *Barnstable* while the Goal in that County is Building; and the Sheriff of the County of *Barnstable*, or his Deputy or Deputies, are hereby fully authorized and impowered to remove the Prisoners that are or may be in *Barnstable* Goal (at the Time said Goal is about to be pulled down) to the Goal in *Plymouth* aforesaid, and deliver them to the Sheriff of the County of *Plymouth*, that he may confine them in *Plymouth* Goal as aforesaid, until the Goal in *Barnstable* is fitted to receive them: And so soon as the Goal in the County of *Barnstable* is finished, the Sheriff of the County of *Barnstable* or his Deputy, are hereby also directed and impowered to remove such of the said Prisoners as shall then be detained in Custody there, back to to the Goal in *Barnstable*;

Prisoners to be removed from *Barnstable* to *Plymouth*.

To be removed back when *Barnstable* Goal is finished.

Sheriff of the
County of
Barnstable im-
powered to
commit Pri-
soners to *Ply-
mouth Goal*.

Sheriff of *Ply-
mouth* County
to detain such
Prisoners.

Penalty for
opposing such
Officers.

Sheriff and
County of
Barnstable,
liable for
Escapes in re-
moving.

Barnstable; and the Sheriff of the County of *Barnstable* and any other Officer or Officers of the said County, or of any of the Towns in said County that at any Time during the Building said Goal shall have any Execution, Warrant or Process whatsoever, by Virtue of which they might legally commit any Person or Persons to the Goal in said County of *Barnstable*, if the same were fit to receive and restrain them, shall be and hereby are impowered to commit such Person or Persons to the Goal in said County of *Plymouth*; and the Sheriff of the said County of *Plymouth* shall be and he hereby is impowered and directed to keep and detain such Persons in the same Manner as the Sheriff of the said County of *Barnstable* would have been, if they had been committed to the Goal there, and that any Person or Persons obstructing or hindering the said Officers and their Assistants in removing or committing any Prisoners as aforesaid, shall be liable to the same Pains and Penalties as for opposing and obstructing such Officers in the Execution of their several Offices in similar Case in their own respective Precincts.

And be it further enacted, That the Sheriff of the County of *Barnstable* as well as the said County of *Barnstable*, be liable to make good all Damages that may arise upon the Escape of any Prisoner or Prisoners for Debt, or any other Prisoners on their Removal to *Plymouth Goal* and back again in the same Manner as they are now respectively liable to, in Case of such Prisoners escaping out of the present Goal in the County of *Barnstable*.

C H A P. VI.

An Act to establish a Toll on the Bridge lately built over the Westernmost Branch of *Saco River* from *Biddeford Side* to *Indian Island*, in the County of *York*.

Preamble.

WHEREAS the Bridge lately built over the Westernmost Branch of *Saco River* from *Biddeford Side* to *Indian Island*, has been erected at a great Expence to the Undertakers; and the said Bridge is found to be of general Use and public Utility, which Expence it seems reasonable should be refunded and paid to the Undertakers, and the Bridge for the future be supported and kept in good Repair.

Toll establish-
ed and the se-
veral Rates.

Be it therefore enacted by the Governor, Council, and House of Representatives, That from and after the twentieth Day of *July* next, the said Bridge be a Toll Bridge for the Term of five Years; and that there be paid by every Footman who shall pass said Bridge the Sum of *One Penny*, and for every Man and Horse the Sum of *three Pence*; and for every two Wheel Chaise, Chair or Sleigh and Horse with the Travellers therein *six Pence*; for every Team with a Cart or Sled the Sum of *six Pence*; for all Horse kind or Neat Cattle a *Penny* per Head; and for every four Wheel Chaise including Passengers, *one Shilling* and no more.

And

Toll Established.

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And be it further enacted, That Amos Chace, Thomas Cutts, Benjamin Nason, and Thomas Gill Patrick, who built the said Bridge, be and hereby are impowered to appoint some fuitable Person to receive said Tolls, who shall be approved of by the Court of General Sessions of the Peace in the County of York, and who shall give such Security for the faithful Performance of his Duty and Attendance at said Bridge as the said Court of General Sessions of the Peace shall from Time to Time order: And the said Person so appointed and approved of as aforesaid, shall faithfully attend upon his Duty, and all Times be ready between the Hours of Five o'Clock in the Morning, and Nine in the Evening, to admit any Person to pass the said Bridge upon the Penalty of twenty Shillings for any Neglect; and in case he shall not be present to admit Persons to pass the Bridge between the Hours of Nine in the Evening and Five in the Morning, he shall leave the Passage free and open.

Court of Sessions to appoint a Toll-Gatherer.

Time of his Attendance.

And be it further enacted, That the said Person so appointed and approved of as aforesaid, shall from Time to Time when demanded, exhibit an Account of the Monies he shall receive as aforesaid, on Oath if required, to the said Amos Chace, Thomas Cutts, Benjamin Nason, and Thomas Gill Patrick, their Heirs and Assigns, and pay them the same; which Monies to be received by them by Virtue of this Act, shall vest in them, their respective Heirs, Executors and Administrators, in equal Parts and Shares, for and during the Term of five Years.

To account for Monies he shall receive.

And be it further enacted, That the said Amos Chace, Thomas Cutts, Benjamin Nason, and Thomas Gill Patrick, their Heirs and Assigns, shall keep the said Bridge in good Repair; and that said Tolls shall be continued during the aforesaid Term of five Years, and they and each of them are hereby impowered to refuse a Passage over said Bridge to any Person or Persons till the payment of the Tolls required by this Act.

And be it further enacted, That the said Amos Chace, Thomas Cutts, Benjamin Nason, and Thomas Gill Patrick, their Heirs and Assigns, shall keep and exhibit to this Court when required, an Account of all Monies received by Tolls by Virtue of this Act, and an Account of the Expences of Supporting the said Bridge.

and render an Account to this Court.

And be it further enacted, That if the Keeper of the said Bridge shall at any Time demand or receive a greater Toll than what is required and allowed by this Act, he shall for every such Offence be subject to the Penalty of twenty Shillings. And all Penalties and Forfeitures arising by Virtue of this Act or any Clause therein, shall be disposed of in the Manner following, Viz. One Half to and for the Use of this Government to be paid into the Province Treasury, and the other Half to him or them that shall sue for the same in any of his Majesty's Inferiour Courts of Common Pleas, or before any Justice of the Peace when the said Penalty doth not exceed the Sum of forty Shillings.

Penalty for receiving more than the Rates herein specified.

how to be disposed of.

C H A P. VII.

An Act to establish a Toll on the Great Bridge built over the River Parker in the Town of Newbury, in the County of Essex.

WHEREAS the Bridge some Time since built over the River Parker in the Town of Newbury, (for the building of which a Lottery was granted by this Province) has been found of great Utility

Preamble.

ity to the Public ; and the same being now in a considerable Measure worn and decayed, the Managers of the last Lottery having also advanced a considerable Sum over and above what was raised by Lottery towards building the said Bridge ; for reimbursing the said Money, and for repairing the said Bridge, no Provision is yet made.

A Toll gatherer or keeper of the Bridge to be appointed.

Rates of the Toll.

Be it therefore enacted by the Governor, Council, and House of Representatives, That there be a Gate erected as soon as may be, and a Person appointed to attend the same, and to receive of all Persons passing over the said Bridge, the several Fees or Rates hereafter expressed which every Passenger is required to pay before they have Liberty to pass the same ; That is to say, for every Foot Man who shall pass the said Bridge the Sum of two Thirds of a Penny ; for every Man and Horse the Sum of *two Pence* ; for every two Wheel Chaise, Chair or Sleigh and Horse with the Travellers therein, the Sum of *four Pence* ; for every four Wheel Carriage including Passengers, the Sum of *eight Pence* ; for every Man with Team, Cart or Sled, the Sum of *six Pence* ; for all Horse kind or neat Cattle, the Sum of two Thirds of a Penny per Head ; and for Sheep or Swine, the Sum of *four Pence* per Score ; and so in Proportion for a greater or less Number, and no more.

Court of Sessions to appoint a Person to gather the Toll.

Time he shall attend.

And be it further enacted, That the Court of General Sessions of the Peace for the County of *Essex* be, and hereby are empowered to appoint some suitable Person, who shall give Security for the faithful Performance of his Duty and Attendance at said Bridge ; and the said Person so appointed, shall faithfully attend his Duty, and at all Times be ready, between the Hours of five of the Clock in the Morning, and nine in the Evening, to admit any Person to pass the said Bridge, under the Penalty of *twenty Shillings* for any Neglect ; and in Case he shall not be present to admit Persons to pass the Bridge between the Hours of nine in the Evening and five in the Morning, he shall leave the Passage free and open ; and said Passage shall also be kept open and free for all Persons travelling to or from the Place or Places of publick Worship on Lord's Days.

Trustees to be appointed.

who are to raise one of the Arches,

And be it further enacted, That the said Court of General Sessions of the Peace be, and are hereby impowered to appoint one or more Trustees to receive of the Keeper of the said Bridge the Money he shall collect, and therewith repair the said Bridge, as shall from Time to Time be found necessary, or as the said Court of General Sessions of the Peace shall order and direct. The said Trustees are also directed as soon as Money sufficient therefor is collected, to raise the Arch, Northward of the little Island so called, over which the Bridge runs, three Feet and an Half, or four Feet higher than it is at present, that so Boats laded with Hay may pass under the same with greater Convenience, as also for such Repairs as may be found necessary.

And be it further enacted, That the said Trustee or Trustees be directed to pay unto *Daniel Farnham* and *William Atkins*, Esq's; the Sums they have respectively advanced towards building the said Bridge ; they having first adjusted and settled their Accounts with the General Court of this Province, and obtained an Order from said Court for

Charlemont Assessors impowered.

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for the Ballances due to them respectively : And the Keeper of the said Bridge is hereby required upon Oath, when and as often as demanded, to exhibit an Account of all the Monies he shall from Time to Time receive by the above Toll, and pay the same to the aforesaid Trustee or Trustees for the Purposes aforesaid, under the Penalty of *fifty Pounds* for every Neglect or Refusal.

Keeper of the Bridge to exhibit Acco'ts and pay to the Trustee.

And be it further enacted, That the Trustees appointed as aforesaid, their Heirs and Assignes, shall keep and exhibit to the said Court of General Sessions of the Peace, and also to this Court when required, an Account of all Monies received by Toll, by Virtue of this Act, and an Account of the Expences of repairing and amending the said Bridge.

Trustee to account to the Court of Gen. Sessions, and to the Gen. Court.

And be it further enacted, That if the Keeper of the said Bridge, shall at any Time demand and receive a greater Toll than is allowed by this Act, he shall for every such Offence be subject to the Penalty of *twenty Shillings*.

Penalty for exacting more than the Rates specified.

And all Penalties and Forfeitures arising by Virtue of this Act, or any Clause therein, shall be disposed of in the Manner following, *Viz.* One Half to and for the Use of this Government, to be paid into the Province Treasury ; and the other Half to him or them that shall sue for the same, in any of his Majesty's Inferior Courts of Common Pleas, or before any Justice of the Peace, when the said Penalty doth not exceed the Sum of *Forty Shillings*.

Forfeitures how to be disposed of.

This Act to continue and be in Force for the Space of ten Years, and no longer.

C H A P. VIII.

An Act to enable the Assessors of the Town of *Charlemont* to collect all the Taxes granted on the Lands in the said *Charlemont*.

WHEREAS the General Court at their Session in February, in the Year one Thousand seven Hundred and sixty seven, ordered that a Tax of one Penny per Acre Yearly, for the Term of three Years be granted upon all the Lands in the said Town of *Charlemont*, (publick Lands excepted) and that the Money thereby arising should be applied as follows to wit, Fifty Pounds, part of the said Money towards finishing the Meeting House already set up in the said Town of *Charlemont*, and that the Remainder of the said Money be applied to pay for preaching the Gospel, and settling and supporting a Minister, which said Tax remains unpaid : And whereas there is not any Provision made for collecting the said Tax.

Preamble.

Be it enacted by the Governor, Council, and House of Representatives, That the Assessors for the said Town of *Charlemont* for the Time being, are empowered and required to assess the Sum of *two Pence* per Acre, upon

Two Pence per Acre granted on Lands in *Charlemont*.

In Case of
non-payment,
Lands to be
Sold after due
Notification.

Overplus
Money to be
lodged with
the Treasurer
of said Town.

Reservation
respecting
Proprietors
not Inhabi-
tants of the
Province.

Assessors di-
rected.

upon the Owner or Owners, Proprietor or Proprietors of all the Lands in the said Town of *Charlemont*, except the Lands as before excepted, being *two Pence* of the said Tax granted as aforesaid; and in case the Proprietor or Proprietors of any of the said Lands shall neglect or delay to pay to the said Assessors the said Sum of *two Pence* upon the Acre assessed on him for sixty Days after such Assessment is made and published, by posting up the same in some publick Place in said Town of *Charlemont*, and in the Shire Town of the County of *Hampshire*, that then and in such Case it shall and may be lawful for the said Assessors to post up in some public Place in the said *Charlemont*, Notifications of the intended Sale of so much and no more of such delinquent Proprietors Land as they shall judge necessary to pay and satisfy the said Tax of *two Pence* upon the Acre, and other necessary and intervening Charges, three Months before the same is sold. And also the said Assessors shall be obliged for the Notification of the non-Resident Proprietors, to advertize in all the several *Boston News-Papers*, three several Weeks, the intended Sale, at least three Months before the Land be sold; and if any delinquent Proprietors do not by that Time pay the said *two Penny* Tax and Charges; then and in that Case it shall and may be lawful for the said Assessors at a publick Vendue to sell, and execute absolute Deeds in the Law, for the Conveyance of such Lands of the Proprietors to the Person or Persons who shall give most for the same, which Deeds shall be good and valid to all intents and purposes in the Law, for conveying such Estates to the Grantees, their Heirs and Assigns for ever. And if the said Lands be sold for more than the Tax and Charges, then the overplus Money arising by such Sale to be paid to such delinquent Proprietor or his Order; the Money which such Lands shall be sold for to be lodged in the Hands of the Treasurer of the said Town of *Charlemont*, who is hereby directed to attend the orders of the said Assessors for Payment of the same, according to the intentions and meaning of the said Grant, reserving to such non-Resident Proprietors as are not Inhabitants of this Province, their Heirs or Assigns, Liberty of Redemption of their Lands so sold, they paying to the Grantees or their Heirs respectively, within one Year afterwards, the Sums for which the said Lands were sold, with double Interest untill the same be Redeemed.

And be it further enacted, That the Assessors which shall and may be chosen for the said Town of *Charlemont* for the Year one Thousand seven Hundred and sixty nine, are empowered and required to assess *one Penny* per Acre, upon the Owners or Proprietors of the Lands in the said Town of *Charlemont*, except the Lands as before excepted, which said Assessors for the said Year one Thousand seven Hundred and sixty nine, for the Assessing and Collecting the said *one Penny* Tax, are to proceed in the same Manner as the Assessors of the said Town of *Charlemont* for the Time being are empowered and required; and the Proprietors of any of the Lands so sold, and who are not Inhabitants of this Province, shall and may have the same Liberty for the Redemption of their Lands as is above granted to Proprietors, (not Inhabitants of this Province,) for the Redemption of their Lands sold for the Payment of the said *two Penny* Tax.

And

And be it further enacted, That the said Assessors for the said Year one Thousand seven Hundred and sixty nine, shall pay the Money arising by the said Sale for the payment of the said one Penny Tax and Charges to the Treasurer of the said Town of Charlemont for the said Year one Thousand seven Hundred and sixty-nine, and the said Treasurer is directed to attend the Orders of the said Assessors for the said Year one Thousand seven Hundred and sixty nine, for the payment of the said Money arising by the Sale of the said Lands, for the payment of the said one Penny Tax and Charges, according to the intentions and meaning of said Grant.

Assessors to pay the Money collected to the Treasurer of Charlemont.

C H A P. IX.

An Act to revive and continue an Act made in the fifth Year of his present Majesty's Reign, intituled, "*An Act for allowing necessary Supplies to the Eastern Indians, and for regulating Trade with them, and preventing Abuses therein,*" which is near expiring.

WHEREAS the aforementioned Act is found by Experience very beneficial for Regulating the Trade with the Eastern Indians. Preamble.

Be it therefore enacted by the Governor, Council, and House of Representatives, That an Act intituled "*An Act for allowing necessary Supplies to the Eastern Indians, and for regulating Trade with them, and for preventing Abuses therein,*" made in the fifth Year of his present Majesty's Reign, in all and every Article and Clause, Matter and Thing, be and hereby is Revived. and shall be in Force until the Thirtieth Day of June which will be in the Year of our Lord one Thousand seven Hundred and sixty nine. The Act continued.

C H A P. X.

An Act for continuing an Act intituled, "*An Act for establishing and regulating the Fees of the several Officers within this Province hereafter mentioned,*" made in the fifth Year of his present Majesty's Reign.

WHEREAS the Act intituled, "*An Act for establishing and regulating the Fees of the several Officers within this Province hereafter mentioned,*" made in the fifth Year of his present Majesty's Reign, is near expiring; and having been found useful and beneficial. Preamble.

Be it therefore enacted by the Governor, Council, and House of Representatives, That the Act aforesaid be continued with all and every Article, Clause, Matter and Thing therein contained, and shall be in Force until the last Day of the next Session of the General Court and no longer. The Act continued.

C H A P. XI.

An Act for reviving and continuing fundry Laws that are expired and near expiring.

Acts to prevent damage at Nobscuffet, For regulating the Standard of Wheat, To prevent damage in Plymouth Woods, &c. For preservation of Plymouth Beach & Harbour,

WHEREAS the several Acts herein after mentioned, which are now expired or near expiring, have been found useful and beneficial, Viz. One Act made in the thirtieth Year of the Reign of King George the Second, intituled, An Act to prevent Damage being done on the Lands lying in the Township of Yarmouth, called Nobscuffet. One Act made in the third Year of his present Majesty's Reign, intituled, An Act declaring and regulating the Standard of Wheat imported into this Province, and for preventing Abuses by Millers. Two Acts made in the fifth Year of his present Majesty's Reign, one intituled, An Act to prevent Damage being done in the Woods in Plymouth, Sandwich, Barnstable, Falmouth and Wareham, by Hunting with Hounds and Dogs; the other intituled, An Act for the preservation of the Beach and Harbour in the Town of Plymouth.

Continued to Aug. 1770.

Be it therefore enacted by the Governor, Council, and House of Representatives, That such of the beforementioned Acts as are expired be revived, and such of said Acts as are not yet expired, be continued, with all and every Clause, Matter and Thing therein respectively contained, and shall be in Force until the first Day of August, One thousand seven hundred and seventy, and no longer.

The foregoing Acts were Published June 30, 1768.

An Act of Parliament,

Passed in the Seventh Year of His present Majesty's Reign.

C A P. LV.

An Act for further continuing an Act of the last Session of Parliament, intituled, *An Act to amend and render more effectual, in His Majesty's Dominions in America, an Act passed in this present Session of Parliament, intituled, An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.*

Preamble, reciting Clause in the American Mutiny Act of the last Session.

The recited Act further continued to 24 March, 1769.

WHEREAS an Act passed in the Sixth Year of His present Majesty's Reign, intituled, *An Act to amend and render more effectual, in His Majesty's Dominions in America, an Act passed in this present Session of Parliament, intituled, An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters; which Act was to continue and be in Force, in all His Majesty's Dominions in America, from the Twenty fourth Day of March, in the Year One thousand seven hundred and sixty six, until the Twenty fourth Day of March, One thousand seven hundred and sixty eight; And whereas it has been found necessary that the said Act should be continued for a further Term; May it therefore please Your most Excellent Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be, and the same is hereby continued until the Twenty fourth Day of March, One thousand seven hundred and sixty nine. 6 NO 62*